

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

UNITED STATES OF AMERICA,	§	
	§	
v.	§	1:18-CR-268
	§	
CECILIO HERNANDEZ-VILLALBA,	§	1:18-MJ-425
	§	
Defendant.	§	

ORDER

On July 2, 2018, United States Magistrate Judge Andrew Austin issued an order denying the federal government's motion to detain Defendant Cecilio Hernandez-Villalba without bond and setting the conditions of Defendant's release. Now before the Court is the federal government's "Notice of Appeal" of that order.

The Court, construing the government's notice as a motion to revoke the release order pursuant to 18 U.S.C. § 3145, has conducted a *de novo* review of the evidence in this case by listening to an audio recording of the original detention hearing and reviewing the Pretrial Services report. For substantially the same reasons cited by the Magistrate Judge, the Court finds that the conditions of release set by that judge adequately assure this Court that the defendant will appear as ordered and will not present a danger to the community during the period of his pretrial release.

To the extent the government's notice may be construed as a motion to revoke the release order entered by the Magistrate Judge, that motion is **DENIED**.

SIGNED on July 3, 2018.



ROBERT PITMAN
UNITED STATES DISTRICT JUDGE